

**STATE OF NEW JERSEY**

In the Matter of Leo Blake, Resource  
Interpretive Specialist 3 (PS9470G),  
Department of Environmental  
Protection

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

Examination Appeal

CSC Docket No. 2020-1019

**ISSUED:**

Leo Blake appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the education requirements for the promotional examination for Resource Interpretive Specialist 3 (RIS3) (PS9470G), Department of Environmental Protection.

The examination at issue was announced open to employees in the competitive division who were currently serving as a Resource Interpretive Specialist 2 (RIS2), Resource Interpretive Specialist 2, Historic Resources (RIS2HR), or Resource Interpretive Specialist 2, Natural Resources (RIS2NR) and who had an aggregate of one year of continuous permanent service as of the April 22, 2019 closing date in one of those titles. Additionally, the education requirements were graduation with a Bachelor’s degree in ecology, forestry, one of the biological sciences, natural resource management, environmental science or wildlife management, history, American history, art history, architectural history, American studies, American literature, or museum studies. A total of 19 candidates applied for the subject examination that resulted in a list of 17 eligibles with an expiration date of September 18, 2022.

On his application, the appellant indicated that he had a Master’s degree in public administration and Bachelor’s degree in political science/history. Additionally, he indicated that he was a RIS2HR from October 2008 to the April 22, 2019 closing date, a RIS1HS from December 2000 to October 2008, and a Park Ranger from May 1989 to December 2000 for the National Park Service. Agency Services credited the appellant with having sufficient permanent service in one of the titles that the examination was open, but determined that his degrees were not in one of the required areas.

On appeal, the appellant submits a letter from the appointing authority in support. The appointing authority indicated, among other things, that it requested that the subject promotional examination be announced only open to specific titles and not requirements because the RIS3 non-variant title no longer had a lower in-series title, and since the RIS2NR and RIS2HR titles had no promotional path, this agency considers these titles “in-series” to the non-variant RIS3. Nevertheless, despite its request, the subject examination was open to titles including the education requirements. The appellant also highlights his service in the Division of Parks and Forestry at the Walt Whitman house for nearly 20 years. He claims that when he first applied for a position in State service, this agency informed him this his political science degree was considered a social science degree that was equivalent to a history degree. The appellant presents that prior to State service, he worked for the National Park Service for 11 years and that experience provided him the background to have a successful career in State service. Additionally, the appellant asserts that the entirety of his career and education will allow him to perform the duties of the subject title. He states that his degree in political science had a focus on history and he highlights courses that he took which he believes should be credited as history classes. Further, he presents that his Master’s degree in public administration was focused on park and historic sites administration in the public sector, which he asserts will help him perform the duties of the subject title.

## CONCLUSION

In this matter, Agency Services correctly determined that the appellant did not possess the required education as the appellant’s degrees, notwithstanding the appellant’s contentions, were clearly not in one of the required areas. However, equitable relief is warranted in this specific matter.

According to the title history, the RIS1 and RIS2 base titles do not have any incumbents and were designated archaic in 2008. However, the RIS3 and RIS4 base titles are still active and do not have either the NR or HR variant as incumbents in higher level base titles may be required to lead and/or supervise both functions. In this regard, at the 1 and 2 levels, the duties to be performed are specific to either the NR or HR fields. However, this is not the case as individuals progress to the lead and supervisory levels. Therefore, the requirements for the RIS3 and RIS4 non-variant levels were designed to encompass both the education and experience requirements of the lower variant level titles to ensure that the lower level incumbents meet eligibility requirements for higher level promotional examinations. In this case, the appellant’s degree was considered sufficient to establish his eligibility as a Historic Preservation Specialist in 2000, which, at the time, required a degree in American Studies, Archeology, Anthropology, Architecture, Architectural History or History. Although it appears that accepting his degree at that time was an administrative error, it cannot be ignored that he has successfully served in the RISHR title series for almost 20 years. While there is clearly a career progression for incumbents in the lower level NR and HR RIS titles to promote into the higher level non-variant base

titles, in this specific situation, there is good cause under *N.J.A.C.* 4A:1-1.2(c) to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) which provides that all requirements for promotional examinations must be met by the closing date, for eligibility purposes only, and admit the appellant to the subject examination.

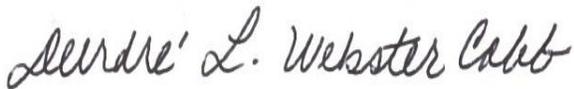
This determination is limited to the instant matter and does not provide precedent in any other matter.

**ORDER**

Therefore, it is ordered that the appeal be granted, and Leo Blake's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON THE  
20<sup>TH</sup> DAY OF MAY, 2020



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